

Message Text

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ACTION ITF-05

INFO OCT-01 EA-06 ISO-00 IO-10 SR-02 ORM-01 AID-05 SCA-01

VO-03 INSE-00 IGA-01 CIAE-00 PM-03 H-02 INR-07 L-02

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 NSCE-00

SSO-00 USIE-00 INRE-00 /073 W
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O 070132Z MAY 75 ZFF-6

FM AMEMBASSY MANILA

TO SECSTATE WASHDC NIACT IMMEDIATE 3028

INFO DOD IMMEDIATE

JCS IMMEDIATE

CINCPAC IMMEDIATE

CINCPACFLT IMMEDIATE

CINCPACREPPHIL IMMEDIATE

C O N F I D E N T I A L MANILA 5983

E.O. 11652: GDS

TAGS: SREF, VS, RP

SUBJECT: VIET-NAM REFUGEE SHIPS

REF: JCS 061940Z MAY 75

1. I TELEPHONED ROMULO AT OPENING OF BUSINESS TODAY TO DISCUSS QUESTION OF TITLE TO VIETNAMESE NAVAL VESSELS ARRIVING IN PHILIPPINE WATERS TODAY. HE SAID HE HAD RECEIVED INSTRUCTIONS FROM PRESIDENT MARCOS TO FIND LOOPHOLE IN HIS NOTE CONCERNING INTERNMENT OF THESE VESSELS. HE SAID HE HAD DISCUSSED MATTER WITH SECDEF ENRILE BUT THEY HAD NOT RPT NOT DEVELOPED A SOLUTION.

2. WHEN ROMULO REPEATED VIEW OF HIS LAWYERS THAT INTERNATIONAL LAW REQUIRED INTERNMENT OF THESE VESSELS, I SAID THAT SUCH INTERPRETATION OF THEIR REQUIREMENTS WOULD ALSO REQUIRE THEM TO INTERN 30,000 PASSENGERS AND CREWS. I WOULD THEREFORE BE PREPARED TO ACCOMMODATE THE LAWYERS
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BY DIRECTING THE VESSELS TO MANILA BAY WHERE THE LAWYERS

COULD ARRANGE TO CARE FOR THE 30,000 PERSONS INVOLVED.

3. ROMULO SAID SOME OTHER SOLUTION HAD TO BE FOUND AND ASKED IF I HAD ANY "HUMANITARIAN" SUGGESTIONS. I SAID WE WOULD BE PREPARED TO ASSERT TITLE TO THESE VESSELS ON THE HIGH SEAS AND PLACE THEM UNDER U.S. FLAG WITH U.S. COMMANDERS. THIS WOULD MEAN THAT THEY WILL ENTER PHILIPPINE WATERS AS U.S. VESSELS RATHER THAN AS "PUBLIC VESSELS AND AIRCRAFT OF THE FORMER REPUBLIC OF VIET-NAM," WHICH IS THE PERTINENT LANGUAGE OF THE DFA NOTE.

4. ROMULO THOUGHT THIS WAS A GREAT IDEA AND ASKED THAT WE GO AHEAD WITH THE TRANSFER ON THE HIGH SEAS AND "NOT TELL US ABOUT IT." HE UNDERTOOK TO EXPLAIN THIS "SOLUTION" TO PRESIDENT MARCOS.

5. I HAVE NOT RPT NOT BEEN ABLE TO GET UP WITH ENRILE AND MELCHOR, WHO ARE IN MEETING WITH PRESIDENT MARCOS. HOWEVER, I INTEND TO TELL THEM BOTH WHAT WE ARE DOING SO THAT PHILIPPINE NAVY AND PMLO RECEIVE PROPER INSTRUCTIONS. FIRST ARRIVAL OF VESSELS ARE EXPECTED ABOUT NOON MAY 7.
SULLIVAN

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NNN

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